

**MINUTES OF MEETING
BAYSIDE IMPROVEMENT AND BAY CREEK
COMMUNITY DEVELOPMENT DISTRICTS**

The Boards of Supervisors of the Bayside Improvement Community Development District and Bay Creek Community Development District held a Joint Regular Meeting on January 22, 2024 at 2:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida 34134. Members of the public were able to participate via Zoom, at <https://us02web.zoom.us/j/84137772934>, and via conference call at 1-929-205-6099, Meeting ID: 841 3777 2934 for both.

Present for Bayside Improvement CDD were:

Walter McCarthy	Chair
Bill Nicholson	Vice Chair
Bernie Cramer	Assistant Secretary
Gail Gravenhorst	Assistant Secretary
Karen Montgomery	Assistant Secretary

Present for Bay Creek CDD were:

James Janek	Chair
Robert Travers	Vice Chair
Jerry Addison	Assistant Secretary
Gary Durney	Assistant Secretary
Mary McVay	Assistant Secretary

Also present:

Chuck Adams	District Manager
Cleo Adams	District Manager
Shane Willis	Operations Manager
Dan Cox (via phone/Zoom)	District Counsel, Bay Creek CDD
Greg Urbancic (via phone/Zoom)	District Counsel, Bayside Improvement CDD
Frank Savage (via phone/Zoom)	District Engineer
Paul Kemp	Field Manager
Bailey Hill (via phone/Zoom)	SOLitude Lake Management (SOLitude)
Eric Franzoi	President, W.J. Johnson & Associates
Andy Nott	Superior Waterway
Ellen Dennis	Resident

FIRST ORDER OF BUSINESS

Call to Order/Phone Silent Mode/Pledge of Allegiance

Mr. McCarthy called the meeting to order at 2:00 p.m.

All present recited the Pledge of Allegiance.

SECOND ORDER OF BUSINESS

Roll Call

All Supervisors were present for both Bayside Improvement and Bay Creek CDDs.

THIRD ORDER OF BUSINESS

Public Comments: Agenda Items

Resident Ellen Dennis stated she is happy to see discussion of cane toads on the agenda. She attended a meeting on July 31, 2023 and discussed the Association’s willingness to partner in such a program.

JOINT BUSINESS ITEMS

FOURTH ORDER OF BUSINESS

Staff Report: District Engineer – Barraco & Associates, Inc.

Mr. Savage stated he has been working on the NPDES permit. The CDDs have been a co-permittee for some time; the permit is in year seven of the current permit cycle. The permit is supposed to renew every five years. During the Department of Environmental Protection (DEP) meeting last week with the co-permittees, the DEP indicated that it is trying to get the permit issued by the end of January 2024. If that happens, the CDDs’ permit might be in year one of the subsequent permit cycle. As of now, Staff is continuing with year seven of the existing permit cycle; all the reporting will be done in October but the permit cycle ends at the end of April for the inspection. It has been unexpectedly rainy recently but this is a good time to perform the inspections required for the permit. Barraco & Associates does not perform the actual inspections.

Mr. Savage read the following update from Mr. Wes Kayne regarding continued on-site inspections of Parcels M & N: “We had a Field Representative on site to review the drainage conveyances through Parcels M & N on January 15, 2024. They reported at that time that the contractor said a portion of the swale had been severed but they installed a pump to bypass the impacted portion of the swale to ensure that the conveyance is properly functioning. Additionally, the BMPs that were associated with the conveyance swale and lake were reviewed while on site. There were a few minor maintenance issues that were noted by an inspector, which were reported to the contractor, and have already been remedied.”

FIFTH ORDER OF BUSINESS**Waterway Inspection Report: December 2023 and January 2024 – SOLitude Lake Management, LLC**

Ms. Hill presented the December 2023 Report. She noted that all debris was removed from the WCI lake on December 1, 2023. The Management Summary failed to list the physical removal of bull rush from Lake D-8 on December 15, 2023. Some improvement was observed in Lake E-8, where submersed weeds were treated, but algae on the perimeter of the lake is currently being treated. Technicians will follow up in two weeks and removal will be done, if necessary. Bacopa was removed from Lake E-15.

Ms. Hill presented the January 2024 Report. She noted that algae treatments are scheduled for Lakes D-8 and A-9 and vines in the canna were removed from Lake A-9. Surface algae was successfully treated on Lake D-15; it might have been a result of grass clippings. Cattails and bull rush were removed from Lakes E-11, E-14, E-16 and E-3.

SIXTH ORDER OF BUSINESS**Update: Maintenance Facility Space Optimization**

Mr. Eric Franzoi, of W.J. Johnson & Associates, presented the proposed “Maintenance Facility Site Plan Changes” and responded to questions. He presented a rendering of a shed-type structure with a low-slope roofed building on posts that would protect vehicles. Installed on existing asphalt, it would not represent much new impermeable space. Plantings were lost over the years but low-maintenance plantings would meet code requirements and provide separation

for the area. He advised against including traffic control in the site plan revisions, as it is a very involved regulatory process.

Mr. McCarthy asked if the location of the proposed shed currently includes parking spaces. Mr. Franzoi stated it is not marked as parking spaces; all parking spaces are in front, where trailers and small vehicles pull up on the asphalt. The proposed shed could accommodate and protect a trailer, utility vehicles, etc. The design will determine which vehicles the shed can accommodate. The area is currently asphalt but it is not used for parking; 24' is maintained between the building and the new structure.

Mr. McCarthy asked about the structure to the south of the proposed covered storage and noted that if it is the dumpster pad, another dumpster pad and enclosure will be needed. Mr. Adams stated there is a dumpster pad, wash-off pad and material storage.

Mr. Nicholson asked what the area depicted by the red rectangle was designated to be in the original Development Order. Mr. Franzoi stated it was designated to be asphalt. Mr. Nicholson asked if the area can be enclosed to provide weather protection. Mr. Franzoi replied affirmatively; optional sides are available for the structure shown in the rendering. An agricultural type building is shown but other building types can be considered.

Mr. McCarthy believes some type of parking will be required for the building.

Discussion ensued regarding parking and planting requirements, the need to protect the CDD's investments in equipment and the need to ensure access for emergency vehicles.

Potential uses of the stormwater retention area were discussed.

Mr. Franzoi stated that a lot of investment will be necessary before any building can proceed. He stated that Lee County will schedule a meeting when he agrees to submit a site plan.

Regarding whether to proceed to the next step, Mr. Cramer voiced his opinion that this would enhance the CDDs' ability to service the community, in its entirety.

Mr. Franzoi estimated that the building in his exhibit would cost \$125,000 in construction costs. The painted galvanized metal is rustproof and various color options are available. Electrical outlets are an additional option.

Mr. McCarthy noted that total costs must include bringing the site into compliance.

Mr. Kemp believes the structure will improve the CDDs' ability to maintain equipment at a higher level than without covered parking.

Mr. McCarthy cautioned that the blacktop's purpose might include turning radius. It was noted that the correct authorities would be consulted.

Discussion ensued regarding the scope of the project.

On MOTION for Bayside by Mr. Cramer and seconded by Ms. Montgomery, with all in favor, authorizing an informal meeting with the County to investigate the probability of being able to build according to this plan, was approved.

On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Travers, with all in favor, authorizing an informal meeting with the County to investigate the probability of being able to build according to this plan, was approved.

SEVENTH ORDER OF BUSINESS

Continued Discussion: Cane Toad Control

A. Bonita Bay Presentation Given to Community

Ms. Montgomery discussed the Bonita Bay Cane Toad Program sponsored by the Eco Club of Pelican Landing, of which she is a member. She has been hearing about their efforts for several years and spoke highly of the scope of the project, the number of volunteers and the scientific approach. The data collected over several years documents the success of the program and, while they have a paid contractor, many well-trained volunteers also participate; the PowerPoint is self-explanatory. She recalled previous discussion about cane toads, including successful programs in other CDDs. She discussed Bonita Bay's research and suggested the CDDs obtain an additional proposal from Bonita Bay's contractor, Southern Trappers. She requested a copy of the contract prepared by Mr. Gavin, who developed expectations based on their research. She noted that the presentation states that one female toad can lay 30,000 eggs and tadpoles are black and easily distinguishable and can be removed from lakes proactively. She believes the CDDs should be ready to begin removing tadpoles in March and that other community stakeholders should be encouraged to assist, as toads can be removed from fairways at night.

Mr. Janek stated The Pointe already has a small committee and a resident is trying to organize efforts to remove tadpoles from the lake.

Ms. Gravenhorst commended Bonita Bay on its efforts. She noted that, until recently, the CDDs had not been involved in varmint control, including iguanas, pythons, alligators, etc., and questioned whether the CDDs should get involved. She understands the need to remove tadpoles but noted that Staff is not on site overnight. Mrs. Adams stated the contractors are on site at night; residents need to be made aware of these efforts and informed about the presence of volunteers and others working at night to address the cane toad issues.

Ms. Gravenhorst noted the need for cooperation from the other entities.

Mr. Cramer stated he was very impressed with the presentation. He thinks a team effort is needed, including working with the golf course and other stakeholders, and sharing the cost and the work.

Discussion ensued regarding resident interest and commitment, efforts underway in neighboring communities, the danger to pets, the need to be proactive and involving the PLCA.

The consensus was for Staff to work with the PLCA to develop a strategy whereby all parties can participate, and for Staff to request a proposal from Southern Trappers.

Mr. McCarthy thanked Ms. Dennis for her assistance with this initiative.

B. Pesky Varmints, LLC Estimate #1911 for Cane Toad Control

This item was not addressed.

EIGHTH ORDER OF BUSINESS

Consideration of Resolutions Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the Districts' General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date

A. Resolution 2024-01, Bayside Improvement Community Development District

B. Resolution 2024-01, Bay Creek Community Development District

Mr. McCarthy presented Resolution 2024-01 and read the title.

For Bayside, Seats 1, 3 and 5, currently held by Karen Montgomery, Walter McCarthy and William Nicholson, respectively, will be up for election at the November 2024 General Election.

For Bay Creek, Seats 1 and 3, currently held by Jerry Addison and James Janek, respectively, will be up for election at the November 2024 General Election.

Candidates must be a citizen of the United States, at least 18 years of age, a legal resident of Florida, reside within the respective CDD and be a registered voter in Lee County. The candidate qualifying period is noon, June 10, 2024 to noon, June 14, 2024.

On MOTION for Bayside by Mr. Cramer and seconded by Ms. Gravenhorst, with all in favor, Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the Districts' General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

On MOTION for Bay Creek by Mr. Travers and seconded by Mr. Durney, with all in favor, Resolution 2024-01, Implementing Section 190.006(3), Florida Statutes, and Requesting that the Lee County Supervisor of Elections Begin Conducting the Districts' General Elections; Providing for Compensation; Setting for the Terms of Office; Authorizing Notice of the Qualifying Period; and Providing for Severability and an Effective Date, was adopted.

Asked about new legislation that might affect Supervisors, Mr. Adams stated the invasive Form 6 requirements do not apply to Special Districts. Form 1, which is required annually, must now be submitted electronically. Mr. Urbancic stated the Form 6 requirements only apply to municipal elected officials, such as Village Council Members and Mayors. CDD Supervisors will still file Form 1 electronically.

Mr. Adams stated he will email a link to the required annual ethics training courses; the State Ethics Commission has a website and has identified a selection of courses that meet the requirements, most of which are free. Coursework must be completed by December 31, 2024 and, as Form 1 matches the calendar year, if the coursework is not completed by the 2024 Form 1 submission deadline, completion will be indicated on the 2025 Form 1. Paid courses priced at or below \$100 will be eligible for reimbursement, if necessary.

NINTH ORDER OF BUSINESS

**Consideration Resolution 2024-02,
Declaring Certain Tangible Personal
Property Surplus Equipment and
Authorizing the District Manager to Sell or
Dispose of Said Equipment as Expeditiously
as Possible and Providing for an Effective
Date**

Mr. McCarthy presented Resolution 2024-02 and read the title.

Mr. Adams stated the Dump List includes items that have lived their useful life; the values shown are not the current value.

Discussion ensued regarding the items listed and the purchase of new equipment.

Mr. Cramer suggested lights be installed on equipment for safety reasons.

Mr. Kemp stated the CDD mechanic will install any lights necessary.

Ms. Gravenhorst left the meeting briefly at 10:38 a.m.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, Resolution 2024-02, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expeditiously as Possible and Providing for an Effective Date, was adopted.

On MOTION for Bay Creek by Mr. Durney and seconded by Mr. Addison, with all in favor, Resolution 2024-02, Declaring Certain Tangible Personal Property Surplus Equipment and Authorizing the District Manager to Sell or Dispose of Said Equipment as Expeditiously as Possible and Providing for an Effective Date, was adopted.

TENTH ORDER OF BUSINESS

**Discussion: Irrigation Water Usage
Compliance and Conservation**

Mr. Adams recalled that the Coral Springs Improvement District (CSID) has done the billing for several decades. The allocated monthly amounts are no longer shown due to a change in printers; he is optimistic that this information will be reinstated.

Mr. McCarthy asked Mr. Adams if he has any further thoughts regarding the penalty rates. Mr. Adams stated Lee County adopted new usage restrictions, whereby watering is limited to one day per week, on an even/odd basis, on Saturday and Sundays.

Mr. Willis stated that watering is prohibited between 9:00 a.m. and 5:00 p.m.

Asked how that affects the CDDs' water purchase, Mr. Adams stated the CDDs' reuse offers an exemption; the pumphouses allow for consistent usage.

Mr. McCarthy asked what should be done with regard to conservation. Mr. Adams stated education is the primary solution; the PLCA is effective in this regard and the County is informing residents about watering restrictions.

Mr. Kemp stated that water reserves are stable and prohibiting water usage three nights in a row goes a long way to keeping reserves. The CDDs are not in crisis due to the pump schedule.

Mr. Adams stated the County officially released the CDDs from the severe drought label that was in effect for the last year.

Mr. Cramer suggested Staff work with the PLCA to get this information into the e-blast to homeowners so that all are informed.

Ms. Gravenhorst agreed and suggested Staff contact the Landscape Committee, which has a meeting this coming week, to inform them that the CDDs are still restricted to watering once per week. She noted that seasonal residents are often unaware of matters such as the watering schedule.

Mr. Nicholson recalled a discussion with Ms. Truth regarding what can be done to enforce premiums for excess water usage. He suggested partnering with the PLCA in this regard, as its organizational structure is designed to address this type of matter, and asking the PLCA to take on the oversight part of the responsibility.

Ms. Montgomery concurred and stated the PLCA is seeking volunteers to serve on various committees, including one for fining. She noted that the CDDs have a Landscape Agreement with the PLCA and suggested it might be time to enter into an Agreement for this service, as well, in preparation for the next drought, so that excessive users are properly fined.

Authority to impose fines, enforcement, noticing requirements, meter shutoff, bill stuffers and the processes for changing rates, tariffs and penalties, were discussed.

Discussion ensued regarding implementing a \$500 penalty for excess water usage during times of drought.

Mr. Urbancic stated he will research adopting a penalty into the rate schedule.

Mr. Cox discussed a tiered rate schedule that included an additional factor during times of water restrictions, so that water usage was penalized quicker.

Mr. McCarthy stated that the penalty rate for potable water usage is already in effect.

Ms. McVay suggested waiting for rate cards to come out, allowing the PLCA to inform homeowners about the new rates and then discussing the matter at another time.

ELEVENTH ORDER OF BUSINESS

Consideration of Superior Waterway Services, Inc. Proposals to Repair/Manage Fountains

Mr. Kemp presented the Superior Waterway Services, Inc. proposals for fountain repairs and maintenance.

Mr. Nott noted that several fountains require barnacle removal and pressure washing due to the brackish water.

The Board and Staff discussed the proposals, maintenance frequency, budgeting considerations and availability of replacement parts.

Mr. Nott was asked to submit revised proposals based on specifications discussed.

This item will be discussed at a future meeting.

Mrs. Adams stated that ongoing maintenance will be budgeted accordingly.

TWELFTH ORDER OF BUSINESS

Consideration of Bentley Electric Co of Naples FL, Inc. Proposals to Install/Repair Streetlights

The Board and Staff discussed the proposal for the Tuscany main entrance.

It was noted that additional repairs are needed outside of Pelican’s Nest Drive.

Discussion ensued regarding whether installation of new outlets would be a CDD expense.

A Board Member noted that half of the lights on Burnt Pine Drive are out of service.

Discussion ensued regarding the proposals.

On MOTION for Bayside by Ms. Montgomery and seconded by Mr. Cramer, with all in favor, the Bentley Electric Co. of Naples, FL proposal to repair the Pelican Nest main entrance lights, in the amount of \$9,750, was approved.

On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Travers, with all in favor, the Bentley Electric Co. of Naples, FL proposal to repair the Pelican Nest main entrance lights, in the amount of \$9,750, was approved.

Discussion ensued regarding the Tuscany main entrance ground lighting.

Mr. Adams recalled that a policy decision was made that lighting is lighting, whether inside or outside of the gate.

Mr. Addison asked if the repairs to the lighting on Burnt Pine Drive is included in these proposals. Mr. Adams stated that will be revisited with the electrician and presented at a future meeting.

On MOTION for Bayside by Ms. Gravenhorst and seconded by Mr. Nicholson, with all in favor, the Bentley Electric Co. of Naples, FL proposal to repair the Tuscany main entrance ground lights, in the amount of \$5,500, was approved.

On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Addison, with all in favor, the Bentley Electric Co. of Naples FL proposal to repair the Tuscany main entrance ground lights, in the amount of \$5,500, was approved.

THIRTEENTH ORDER OF BUSINESS

Committee Reports

A. PLCA Landscape Committee

There was no report.

B. Colony Landscape Committee

The Reports were included for informational purposes.

Mr. Nicholson questioned why some light poles are leaning and why some lights are bright white, while others are antique yellow, and asked what can be done.

Ms. Gravenhorst believes the bright lights are newer. She noted that many residents have complained about these issues and voiced her opinion that the bottom of light poles need to be painted.

Mr. Travers stated his community replaced the light bulbs to address the issue.

Mrs. Adams stated Mr. Kemp will meet with the contractor and request a proposal.

FOURTEENTH ORDER OF BUSINESS

Discussion: Monument Removal Meeting at North Gate

Mr. Cramer distributed and read into the record a handout, to be attached to the Minutes, related to the removal of monuments at and nearby the North Entrance, the Waterside Neighborhood and the Heron Cove Neighborhood.

Mr. Janek stated that he viewed the monuments immediately after seeing the email from resident Jack Lienesch that was included in the agenda and relates to the tentative plan to remove eight old monuments that were installed by WCI decades ago. He expressed disbelief that someone vandalized the one tower with paint. He believes the monuments should be cleaned off and restored, as they are not a problem; In his opinion, the vandalized monument at the gate is a barrier to cars entering the gate.

Mr. Cramer noted that the cost of the project is increasing.

Ms. Gravenhorst reported the following:

- The Landscaping Committee was advised about the removal of the column only after the PLCA Board decided to remove them.
- The Landscaping Committee looked at possible problems if the columns were removed.
- Originally there was a piece of equipment that the PLCA Board entertained using prior to the suggestion that it would be destructive to the landscape and Mr. Kemp provided a smaller piece of equipment at a higher price.
- The number of monuments started at 16 and increased to 21. Some need more than just paint; some are in disrepair and designated to be removed.
- After six weeks, the Landscape Committee was told to vacate its interest and was advised that the PLCA Board decided to do it.

- She assumed the PLCA Board was taking on the responsibility because the PLCA advised that it might cost them quite a bit more in landscaping and irrigation repairs.
- With the reply that it was no longer the Landscaping Committee’s concern, she believed that the CDDs were aiding the PLCA with its desire to remove the monuments.

Ms. Gravenhorst stated this has been objected to, due to the consequences of removing the monuments, which are on footings.

Mr. McCarthy opined that the PLCA Board made the decision, so the CDDs will move on.

FIFTEENTH ORDER OF BUSINESS

Presentation of Monthly Year-End Financial Forecast (under separate cover)

This item was discussed in conjunction with the Sixteenth Order of Business.

SIXTEENTH ORDER OF BUSINESS

Acceptance of Unaudited Financial Statements as of December 31, 2023

Mr. Adams presented the Unaudited Financial Statements as of December 31, 2023.

McCarthy stated the Unaudited Financials still show almost \$88,000 owed to Bayside from Bay Creek and it shows Bay Creek earning interest on investments.

Mr. Adams stated those would be corrected this week.

Mr. McCarthy believes that Bayside should be made whole, given interest rates, for the use of that money. He estimated that \$80,000 could earn \$4,000 in annual interest.

Discussion ensued regarding the line items related to the outstanding debt and funds for reimbursement.

The financials were accepted.

SEVENTEENTH ORDER OF BUSINESS

Approval of December 4, 2023 Joint Regular Meeting Minutes

On MOTION for Bayside by Mr. Nicholson and seconded by Ms. Gravenhorst, with all in favor, the December 4, 2023 Joint Regular Meeting Minutes, as amended to include any changes submitted to Management, were approved.

On MOTION for Bay Creek by Mr. Janek and seconded by Mr. Travers, with all in favor, the December 4, 2023 Joint Regular Meeting Minutes, as amended to include any changes submitted to Management, were approved.

EIGHTEENTH ORDER OF BUSINESS

Action/Agenda Items

Items 3, 5, 7 and 8 were completed.

Item 4: Mr. Adams stated researching why water billing no longer indicates when a penalty for overuse applies, is still in progress.

Item 1: Mr. Adams stated the process was started with the District Engineer; progress is at a standstill but research will continue. Unfortunately, Long Lake Village was constructed in 1994, before construction drawings were digitally preserved. He had hoped some information would be available online. This item is ongoing.

NINETEENTH ORDER OF BUSINESS

Old Business

There was no old business.

TWENTIETH ORDER OF BUSINESS

Staff Reports

A. District Counsel

I. Gregory Urbancic, Esq., Coleman Yovanovich Koester, P.A.

- **Update: Required Ethics Training**

Mr. Urbancic noted that ethics training was discussed earlier in the meeting. The upcoming legislative session and several bills that might affect CDDs or Special districts, such as increases to sovereign immunity and potential requirements for implementing performance measures, will be monitored. He will provide updates.

II. Daniel Cox, Esq.

There was no report.

B. District Manager: Wrathell, Hunt and Associates, LLC

I. Monthly Status Report: Field Operations

The Monthly Report was included for informational purposes.

II. Continued Discussion: Setting Joint Workshop with PLCA

III. Next MEETING DATE: February 26, 2024 at 2:00 PM

All Supervisors confirmed their attendance at the February 26, 2024 meeting.

TWENTY-FIRST ORDER OF BUSINESS

Supervisors' Requests

Ms. Gravenhorst asked for the CDDs to advise residents of how to submit complaints. Mrs. Adams stated there is a link on the website; residents submit complaints daily.

Ms. Gravenhorst asked for landscapers to pay close attention to sight lines. Mr. McCarthy asked for attention to also be given to intersections outside the gates.

Mr. Cramer cautioned those tasked with removing monuments to be very careful due to the danger of buried utilities. Mr. Kemp expressed his understanding. Mrs. Adams noted that someone must call ahead to locate utilities.

Ms. McVay asked if the orchard trees will be removed. Mrs. Adams stated they will grow back in the spring.

Ms. McVay asked when the lake grass will be reinstalled in the lake behind her home. Mr. Adams stated salinity tests will be performed and littorals will be installed during the rainy season.

TWENTY-SECOND ORDER OF BUSINESS

Public Comments: Non-Agenda Items

No members of the public spoke.

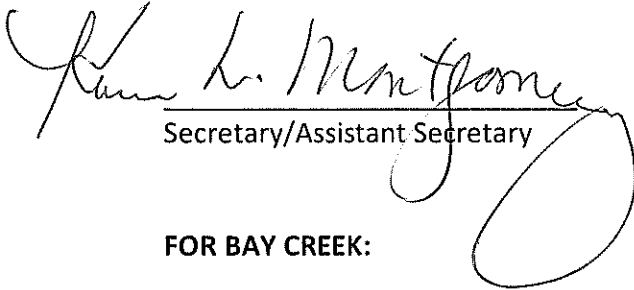
TWENTY-THIRD ORDER OF BUSINESS

Adjournment

There being nothing further to discuss, the meeting adjourned at 4:12 p.m.

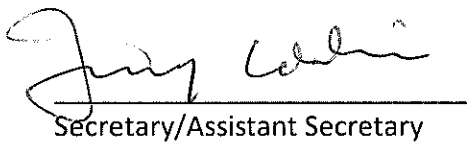
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

FOR BAYSIDE IMPROVEMENT:


Secretary/Assistant Secretary


Chair/Vice Chair

FOR BAY CREEK:


Secretary/Assistant Secretary


Chair/Vice Chair

by Bernie Coaner
add to minutes

stand out
by Bernie Coaner
add to minutes

I would like to address the issue of the removal of monuments located at and nearby the North Entrance, the Waterside Neighborhood and the Heron Cove Neighborhood.

While this came up during our last meeting – since that time -- the scope of the project has increased. The package for this meeting includes a communication from Jack Lienesch to the PLCA Board. Jack is President of the Waterside Neighborhood and former Chair of the Landscape Committee and a former CDD Supervisor.

The exact location of the increased number of monuments PLCA wishes to remove is not clear. No drawings have been provided yet graffiti-like Green X's have been painted on certain monuments.

Most concerning to me are 3 issues:

1. What is the Purpose for the removal of these monuments
2. The Lack of Process in evaluating the entire scope of the project and the potential costs to repair damage to affected areas. And:
3. The failure to involve all relevant parties.

Purpose:

- Why is this necessary?
- While the need to fill in cracks in the concrete and a coat of paint are obvious, other than blanket statements, there doesn't seem to be any verifiable proof these monuments have lost structural integrity.

Process:

- This project shows a breakdown in the process of realistically evaluating the total scope of project ... including issue such as:
 - The magnitude of the removal of both the larger and the smaller monuments. Was an evaluation performed to determine how deep the foundations of these monuments are?
 - Was adequate consideration and investigation performed to determine the damage these removals may cause to sidewalks, roads, utilities such as water, sewer, conduit for electric, fiber optic cable, irrigation lines, fencing, and landscape.
The utility companies' mantra: "CALL BEFORE YOU DIG"

Inclusion of all Parties:

- Affected Neighborhoods of Waterside and Heron Cove were not consulted. The monuments that border the Waterside Neighborhood, for example, are consistent with the design of its entry monuments.
- In other areas of the community, multiple monuments delineate the boundaries of certain neighborhoods ... (see the many monuments also installed by the developer in The Colony – by Merano -- for example)
- It is also unclear if the privacy committee was consulted regarding the possibility that monuments at PLCA's North entry gate could be used in the future for a pedestrian gate? The subject of pedestrian gates has repeatedly come up.

What is the real potential cost for the removal of these monuments and has anyone evaluated the real cost as it relates to any benefit?

What entities have responsibility for the damages these monument removals will cause to the surrounds? The PLCA, the Bayside CDD, the utility companies, the Neighborhoods?

The CDDs and the PLCA have a responsibility to this community and its Members to approach all projects in a thorough and professional manner before proceeding.

As a CDD Supervisor, I am concerned not only for our potential financial liability but also for the breakdown in process exhibited on this and other projects.